

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY APRIL 27, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

**No. 912**

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**Introduced by Assembly Member Torres**

February 26, 2009

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An act to amend Section 41136 of the Revenue and Taxation Code, relating to emergency telephone systems.

### LEGISLATIVE COUNSEL'S DIGEST

AB 912, as amended, Torres. Telecommunications: Emergency Telephone Users Surcharge.

Existing law establishes the State Emergency Telephone Number Account in the General Fund, pursuant to which funds derived from a surcharge imposed on amounts paid by every person in the state for intrastate telephone communication service may be appropriated by the Legislature for specified purposes, including costs of administering, operating, and maintaining the state "911" emergency telephone number system.

This bill would ~~provide~~ *require* that a minimum of ~~50% of the funds in the State Emergency Telephone Number Account shall~~ *0.50% of the charges for intrastate telephone communications services and VoIP service to which the surcharge applies, when appropriated by the Legislature*, be allocated for those specified purposes and costs. This bill would ~~authorize the Department of General Services to approve a maximum allocation of 25% of the funds in the State Emergency Telephone Number Account to pay~~ *primary require when appropriated by the Legislature, a maximum of 0.25% of the charges for intrastate*

*telephone communications services and VoIP service to which the surcharge applies to the Department of General Services for a one-time payment to Primary Public Safety Answering Points for costs associated with receiving and routing enhanced “911” calls, including a one-time payment for personnel costs, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) The Warren-911-Emergency Assistance Act establishes the  
4 number “911” as the primary number of use in this state.

5 (b) The Emergency Telephone Users Surcharge Act generally  
6 imposes a surcharge on amounts paid by every person in the state  
7 for intrastate telephone service and is imposed at a percentage rate  
8 range, established in 1980, of between one-half of 1 percent and  
9 three-quarters of 1 percent. This surcharge is annually estimated  
10 to provide revenues to fund “911” emergency telephone system  
11 costs for the current fiscal year. The rate range has remained  
12 unchanged since 1980.

13 (c) In 2005, there were over five million “911” calls, over eight  
14 million “911” calls in 2006, and an estimated 12 million “911”  
15 calls in 2007. This increase represents an 119 percent increase in  
16 “911” calls over those past two years alone. The Department of  
17 the California Highway Patrol, a Public Safety Answering Point,  
18 receives approximately 750,000 “911” calls monthly at its 24  
19 answering points statewide.

20 (d) This rapid increase has made it difficult for Public Safety  
21 Answering Points, including the Department of the California  
22 Highway Patrol, to meet the 10-second answering guideline  
23 recommended by the National Emergency Number Association  
24 and accepted by the industry, potentially affecting the safety and  
25 well-being of “911” callers.

26 (e) “911” call volumes continue to grow and additional  
27 personnel with the appropriate training and skills, including  
28 language skills, is needed to meet the 10-second answering  
29 guideline.

1 (f) The current rate range, established in 1980, has not been  
2 adjusted to reflect the increase in costs in receiving and routing  
3 “911” calls associated with the increase in the volume of “911”  
4 calls in the state.

5 SEC. 2. Section 41136 of the Revenue and Taxation Code is  
6 amended to read:

7 41136. Funds in the State Emergency Telephone Number  
8 Account shall, when appropriated by the Legislature, be spent  
9 solely for the following purposes:

10 ~~(a) A minimum of 50 percent of the revenues of the fund as~~  
11 ~~follows:~~

12 *(a) A minimum of one-half of 1 percent of the charges for*  
13 *intrastate telephone communications services and VoIP service*  
14 *to which the surcharge applies as follows:*

15 (1) To pay refunds authorized by this part.

16 (2) To pay the State Board of Equalization for the cost of the  
17 administration of this part.

18 (3) To pay the Department of General Services for its costs in  
19 administration of the “911” emergency telephone number system.

20 (4) To pay bills submitted to the Department of General Services  
21 by service suppliers or communications equipment companies for  
22 the installation of, and ongoing expenses for, the following  
23 communications services supplied to local agencies in connection  
24 with the “911” emergency phone number system:

25 (A) A basic system.

26 (B) A basic system with telephone central office identification.

27 (C) A system employing automatic call routing.

28 (D) Approved incremental costs.

29 (5) To pay claims of local agencies for approved incremental  
30 costs, not previously compensated for by another governmental  
31 agency.

32 (6) To pay claims of local agencies for incremental costs and  
33 amounts, not previously compensated for by another governmental  
34 agency, incurred prior to the effective date of this part, for the  
35 installation and ongoing expenses for the following communication  
36 services supplied in connection with the “911” emergency phone  
37 number system:

38 (A) A basic system.

39 (B) A basic system with telephone central office identification.

40 (C) A system employing automatic call routing.

1 (D) Approved incremental costs. Incremental costs shall not be  
2 allowed unless the costs are concurred in by the Division of  
3 Telecommunications of the Department of General Services.

4 ~~(b) (1) The Department of General Services may approve a~~  
5 ~~maximum allocation of 25 percent of the revenues of the fund to~~  
6 ~~pay Primary Public Safety Answering Points, which accept wireless~~  
7 ~~enhanced “911” calls from within their jurisdiction routed directly~~  
8 ~~to their call centers, for costs associated with receiving and routing~~  
9 ~~wireless enhanced “911” calls, including a one-time payment for~~  
10 ~~costs necessary to recruit and train additional personnel necessary~~  
11 ~~to handle the wireless enhanced “911” calls.~~

12 *(b) (1) A maximum of one-quarter of 1 percent of the charges*  
13 *for intrastate telephone communications services and VoIP service*  
14 *to which the surcharge applies to the Department of General*  
15 *Services for a one-time payment to Primary Public Safety*  
16 *Answering Points for the cost necessary to recruit and train*  
17 *additional personnel necessary to accept wireless enhanced “911”*  
18 *calls from within their jurisdiction routed directly to their call*  
19 *centers.*

20 (2) Funds allocated pursuant to this subdivision shall  
21 supplement, and not supplant, existing funding for these services  
22 services.